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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/645,208	08/21/2003	Frans Tuomela	5420-7	7232

7590 06/30/2005
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EXAMINER

FIGUEROA, MARISOL

ART UNIT	PAPER NUMBER
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2681

DATE MAILED: 06/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/645,208

Applicant(s)

TUOMELA ET AL.

Examiner

Marisol Figueroa

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 August 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>08/21/2003</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Information Disclosure Statement

1. The Examiner has considered the information disclosure statement (IDS) filed by applicant on August 21, 2003.

Drawings

2. The drawings are objected to because in the specification (page 7-8, lines 21 and 14-27) describes in more detail the figure 2, the disclosure refer to terminal "A" and system "S" of figure 2, but figure 2 does not establish which block is "A" and which block is "B". The blocks enclosed in circle "T" should be properly label. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

3. **Claims 1, 2, 8, 9, and 12** are objected to because of the following informalities:

(a) On line 4 of claim 1, replace “the” with --a-- in order to be proper according to the antecedence basis rules.

(b) On line 1 of claim 8, replace “the” with --a-- in order to be proper according to the antecedence basis rules.

(a) On lines 2-3 of claims 2 and 12, replace “the mobile communication network” with “the first communication system” in order to be consistent with the terminology of claim 1 and claim 11 accordingly, reciting a “first communication system”.

(b) On line 1 of claim 9, delete “the” before claim.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. **Claims 1-4, 6-9, 11-14, 17, and 18** are rejected under 35 U.S.C. 102(e) as being anticipated by **Holloway et al. U.S. Publication No. 2003/0092451 A1**.

Regarding claim 1, Holloway discloses a method for setting up redirection of contacts coming to a first terminal to at least one other communication system (abstract, lines 1-4), wherein a

proposal of an address of said other communication system is sent (P.0006, lines 1-4; P.0017, lines 2-5; when the mobile phone is in close vicinity to the other communication system, e.g. home phone, it receives a signal indicating that it is in proximity to the other communication network and also receives the telephone number to the system to which calls can be forwarded), by utilizing the data transmission connection set up between the first terminal and the first communication system to the terminal to be accepted and/or to activate the redirection (P.0017, lines 7-16).

Regarding claim 2, Holloway discloses the method according to claim 1, wherein the other communication system is located outside the coverage area of the first communication system (P.0006; P.0016, lines 12-14; the user preferred phone is in different network of the mobile communication network and only accessed when is in close proximity, and when in close proximity the mobile phone is capable of going in standby consequently out of service with the mobile communication network).

Regarding claim 3, Holloway discloses the method according to claim 1, wherein the data transmission connection is a short-range wireless data transmission connection (P.0006, lines 1-8).

Regarding claim 4, Holloway discloses the method according to claim 1, wherein the terminal comprises means for performing a mobile communication (P.0006, lines 1-4; the terminal is a mobile phone therefore it is inherent that it has means for performing a mobile communication).

Regarding claim 6, Holloway discloses the method according to claim 1, wherein the received contacts are directed to the other communication system depending on a parameter (P.0006, lines 1-8; calls are redirected to the other communication system, e.g. telephone home network, when the mobile phone is in proximity to the network).

Regarding claim 7, Holloway discloses the method according to claim 1, wherein the contact leaving another terminal and aimed at the terminal is directed to the other communication

system in basis of a parameter (P.0006, lines 1-8; calls are redirected to the other communication system, e.g. telephone home network, when the mobile phone is in proximity to the network).

Regarding claim 8, Holloway discloses the method of claim 1, wherein the parameter is determined from the terminal that is the actual target of the contact (P.0006, lines 1-8; P.0017, lines 1-5, 7-16; the proximity to the network is determined as the mobile phone comes within the range of the transmitter of the preferred phone causing the calls to the mobile phone to be forwarded to it).

Regarding claim 9, Holloway discloses the method according to claim 1, wherein the data connected to the redirection is transmitted to another terminal (P.0006, lines 1-8; calls directed to the mobile phone are redirected to the preferred phone).

Regarding claim 11, Holloway discloses a system, which comprises a first terminal, a first communication system, at least one other communication system, wherein the a contact directed to the first terminal is directed to said other communication system (P.0006, lines 1-8; a mobile phone communicates with a cellular network and in basis of the proximity to a home phone calls are forwarded to the home phone network), wherein the terminal and the first communication system comprise a data transmission connection between them for transmitting the address of the other communication system as a proposal to the terminal (P.0006, lines 1-4; P.0017, lines 1-16; the home phone notifies the mobile phone of its proximity to the preferred phone and when the mobile phone receives this signal it sends a message to the cellular system to forward calls to the preferred phone), which comprises the means for accepting the proposal and/or for activating the redirection (P.0017, lines 1-16).

Regarding claim 12, Holloway discloses the system according to claim 11, characterized in that the other communication system is located outside the coverage area of the mobile

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communication network (P.0006; P.0016, lines 12-14; the user preferred phone is in different network of the mobile communication network and only accessed when is in close proximity, and when in close proximity the mobile phone is capable of going in standby consequently out of service with the mobile communication network).

Regarding claim 13, Holloway discloses the system according to claim 11, wherein the data transmission connection is a short-range wireless data transmission connection (P.0006, lines 1-8).

Regarding claim 14, Holloway the system according to claim 11, wherein the terminal comprises means for performing mobile communication (P.0006, lines 1-4; the terminal is a mobile phone therefore it is inherent that it has means for performing a mobile communication).

Regarding claim 17, Holloway discloses the system according to claim 11, wherein, in addition, the system comprises means for directing the contact to the other communication system on the basis of a parameter (P.0006, lines 1-8; calls are redirected to the other communication system, e.g. telephone home network, when the mobile phone is in proximity to the network).

Regarding claim 18, Holloway discloses the system according to claim 11, wherein, in addition, the system comprises means for transmitting the data connected to the redirection to another terminal (P.0006, lines 1-8; calls directed to the mobile phone are redirected to the preferred phone).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary

skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. **Claim 5 and 15** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Holloway** in view of **Lindberg et al. U.S. Publication No. 2003/0140145 A1**.

Regarding claim 5, Holloway discloses the method of claim 1, however fails to disclose wherein the terminal functions in an IP based multimedia system (IMS). Lindberg discloses that with the introduction of IP technology multimedia services the number of ways to communicate increases (P.0018). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to include a terminal to function in an IP multimedia system because there is a variety of communications that can be established, e.g. text chat, speech, plain video telephony, etc.

Regarding claim 15, Holloway discloses the method of claim 11, however fails to disclose wherein the terminal functions in an IP based multimedia system (IMS). Lindberg discloses that with the introduction of IP technology multimedia services the number of ways to communicate increases (P.0018). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to include a terminal to function in an IP multimedia system because there is a variety of communications that can be established, e.g. text chat, speech, plain video telephony, etc.

8. **Claims 10 and 16** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Holloway** in view of **Goss et al. U.S. Publication No. 2002/0137498**.

Regarding claim 10, Holloway discloses the method according to claim 1, however fails to disclose wherein the method is characterized in that the deactivation of redirection is automatic when the terminal is switched on or at the latest after a certain time. Goss discloses a method for automatic call forwarding when a mobile unit goes out of service, e.g. mobile unit is powered off,

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and later when the mobile unit comes into service, e.g. powering on or entering an effective wireless coverage area of a wireless network, automatic call forwarding is deactivated (P.0006; P.0010). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention, to deactivate redirection automatically when a terminal is switched-on because when the terminal switches on is an indication that it is in service and available to receive a call plus overcomes the problems of manually activating and deactivating call redirection.

Regarding claim 16, Holloway discloses the system according to claim 11, however fails to disclose wherein the terminal comprises means for automatically deactivating the redirection. Goss discloses a method for automatic call forwarding when a mobile unit goes out of service, e.g. mobile unit is powered off, and later when the mobile unit comes into service, e.g. powering on or entering an effective wireless coverage area of a wireless network, automatic call forwarding is deactivated (P.0006; P.0010). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention, to automatically deactivate redirection in order to overcome the problems of manually activating and deactivating call redirection, thus lowering the number of missed calls.

Contact Information

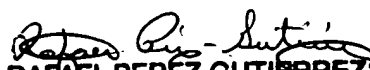
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marisol Figueroa whose telephone number is (571) 272-7840. The examiner can normally be reached on Monday thru Friday from 8:30 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild, can be reached on (571) 272-4090. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Marisol Figueroa


RAFAEL PEREZ-GUTIERREZ
PATENT EXAMINER
6/9/08